

1
2 SUPREME COURT OF THE STATE OF NEW YORK

3 COUNTY OF SUFFOLK PART II

4 -----X

THE PEOPLE OF THE STATE OF NEW YORK Court Case No.:
1707-2016

5 -against-

Proceeding:
ARRAIGNMENT

6 GERSON SARAVIA GOMEZ,

7 Defendant.

8 -----X

September 12, 2016
Central Islip, New York

9
10 B e f o r e :

11 HONORABLE FERNANDO CAMACHO,
12 Acting Supreme Court Justice

13
14 A p p e a r a n c e s :

15 THOMAS J. SPOTA, III, District Attorney
County of Suffolk
For the People of the State of New York
16 BY: ERIN CHO, ESQ.
Assistant District Attorney

17 WILLIAM COLLADO, ESQ.
18 For the Defendant.

19 ALSO PRESENT:

Mary Lou Oreiro, Spanish interpreter

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22 R e p o r t e d B y :

23 LAUREN R. CARPENTER, RPR
24 Senior Court Reporter
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2 THE CLERK: Case number 1 on the
3 Part II calendar, Gerson Saravia Gomez.

4 (Whereupon, the defendant was
5 escorted into the courtroom.)

6 MR. COLLADO: Judge, may I have a
7 moment, please?

8 THE COURT: Yes.

9 (Whereupon, Mr. Collado and the
10 defendant conferenced off the record.)

11 MR. COLLADO: Judge, thank you for
12 that opportunity.

13 William J. Collado, 14 Washington
14 Avenue, Brentwood, New York.

15 Judge, I would like to acknowledge
16 receipt of the indictment under case number
17 1707 of 2016. I respectfully waive a reading
18 and enter plea of not guilty on behalf of my
19 client. Thank you, Judge.

20 THE COURT: Yes?

21 MS. CHO: Thank you, your Honor.

22 Your Honor, along with a copy of
23 the indictment, People have served on the
24 defendant 710.30 notice, 250.20 demand and
25 People announce their readiness for trial.

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2 The People have an application for
3 temporary orders of protection for the victims
4 with regard to this matter.

5 Your Honor, the defendant stands
6 before you having been indicted on two counts
7 of Assault in the First Degree and two counts
8 of Gang Assault in the First Degree. These
9 charges stem from an incident occurring on
10 August 19, 2016, in a wooded area of Bellport
11 where the two victims were hanging out. This
12 defendant, accompanied by others, snuck up on
13 the victims and attacked them with a machete.

14 There are two victims in this
15 matter. One 19 year old had a loss of his
16 hand, which had to be re-attached surgically.
17 The victim still does not have any mobility in
18 that hand. He suffered serious injury to his
19 head, which required staples to close. The
20 other victim is a 15 year old. He also lost
21 motion in his fingers, multiple wounds on his
22 arm, back of his head and both of his legs
23 required stitching. They received extensive
24 medical attention. They require still more
25 medical attention to be able to recover from

1
2 the wounds.

3 The victims and the defendant are
4 known to each other, having attended Bellport
5 High School. The defendant, also gives a
6 written statement, which is largely
7 self-serving, however, he does admit to having
8 wielded the machete, that he had swung the
9 machete at the victims in this matter. The
10 investigation is still ongoing as there are
11 others involved in this attack and they are
12 still looking for the people involved.

13 Your Honor, People do recognize
14 that the defendant is YO eligible, but these
15 charges are extremely serious. The injuries
16 are extremely extensive. He is facing a
17 substantial period of incarceration were he to
18 be convicted on these charges. Based on the
19 foregoing, the People are asking that bail be
20 set in amount of \$500,000 dollars cash or bond
21 alternative to ensure his future return to
22 court.

23 THE COURT: Mr. Collado.

24 MR. COLLADO: Thank you, Judge.

25 Judge, for the purposes of today's

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2 proceeding I'll reserve my right to make a
3 bail application, but I do want to tell the
4 Court that he has three members of his family
5 in court supporting him and I've spoken with
6 other members of his family also. He is
7 17-years-old. He has no prior involvement
8 with the law. He presents himself, according
9 to my preliminary investigation, as a very
10 quiet person. I think the facts as presented
11 to the Court and by the district attorney are
12 going to be disputed, however, that's for a
13 future date.

14 So, for today's purpose, I would
15 like to reserve my right to make any bail
16 application and would like to have a
17 conference with the Court at a date
18 convenient.

19 THE COURT: Yes. Bail is \$250,000
20 cash, \$500,000 bond. Your right is reserved
21 to make a bail application at a future date,
22 Mr. Collado.

23 Anything further?

24 MR. COLLADO: We have no objection
25 to the orders of protection.

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2 THE COURT: He is to have no
3 contact whatsoever with the complainant.

4 The week of the 10th, the 10th
5 being a holiday.

6 MR. COLLADO: The 11th is fine.

7 THE COURT: 10/11.

8 THE CLERK: Defendant is being
9 served with a temporary order of protection.

10 MR. COLLADO: And we acknowledge
11 receipt.

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14 **REPORTER'S CERTIFICATION**

15 I, Lauren R. Carpenter, RPR, a Senior
16 Court Reporter, County Court, Suffolk
17 County, do hereby certify the above
18 pages to be a true, accurate and correct
19 transcript of the minutes in this matter.

20 
21 Lauren R. Carpenter